

LOCAL RULES



Amended January 1, 1994

Amended January 5, 1998, to include Local Rule 9010.4

Renumbered December 20, 1999

Amended December 20, 1999 (see Rule 5005.2(b))

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LR 1002.1 Petitions, Schedules and Summary Information Sheet.

Number of Copies. All parties filing petitions for relief pursuant to the Code shall file an original and copies as follows:

(a) Chapters 7, 12 and 13.

- (1)** The petitioner shall file an original and three copies for cases under chapters 7 and 13.
- (2)** The petitioner shall file an original and four copies for cases under chapter 12.
- (3)** The petitioner shall file an original and four copies of a stockbroker's or commodity broker's petition under chapter 7.

(b) Chapters 9 and 11.

- (1)** The petitioner shall file an original and six copies for cases under chapters 9 and 11.
- (2)** The petitioner shall file an original and eight copies for a railroad reorganization under chapter 11.

LR 1002.2 Summary Information Sheet. An original and one copy of the summary information sheet shall be filed at the time the petition is filed.

LR 1003 List of Creditors . In an involuntary case, the petitioning creditor(s) shall file with the petition, a list containing the name and address of each creditor of the debtor known to the petitioning creditor(s). The name and address of each creditor's attorney, if known.

LR 1005 Disclosure of Spouse. In any case filed by a married debtor in which the debtor's spouse is not a joint debtor, the name, address, and social security number of the debtor's spouse shall be included in the master list and in the notice of the §341 meeting of creditors, and the debtor's spouse's name shall appear in the caption of all notices, pleadings and other papers filed in the case and in any adversary proceeding within the case.

LR 1007.1 Master List and Mailing Labels.

- (a) MasterList ("Matrix").** In all cases, the debtor shall prepare and file a separate master list in the form specified by the clerk. The master list shall serve as the official mailing list in all cases. The master list shall contain the names and addresses of the United States Trustee, the

debtor, the debtor's attorney, and all creditors and other parties in interest entitled to notice. The debtor shall file two copies of the master list in chapter 13 cases.

- (b) **Furnishing of Mailing Labels.** Any person requesting that the clerk provide mailing labels duplicated from the updated master list shall provide in advance the [prerequisite] fee and shall also allow at least three days' preparation time.

LR 1007.2 Additional Filing Requirements in Chapters 11, 12, 13, Adversary Proceedings and Involuntary Cases. Additional requirements regarding the filing of documents are found at:

- (a) **Chapter 11.** Local Rule 4001.1.
- (b) **Chapter 12.** Local Rule 3015.1.
- (c) **Chapter 13.** Local Rule 2002.
- (d) **Adversary Proceedings.** Local Rule 7004.
- (e) **Involuntary Cases.** Local Rule 1003.

LR 1007.3 Disclosure of Spousal Earnings and Expenses. In any case filed by a married debtor in which the debtor's spouse is not a joint debtor, the statement of current earnings and expenses shall separately disclose the earnings and expenses of the debtor's spouse, if the debtor's spouse resides with the debtor.

LR 1007.4 Disclosure of Marital Agreements. The debtor's Statement of Executory Contracts and Unexpired Leases shall disclose any marital agreement that affects the classification of nonexempt assets of the spouses or that affects any liability of the spouses.

LR 1007.5 Disclosure of Transfers and Loan Payments by the Debtor's Spouse. In any case filed by a married debtor in which the debtor's spouse is not a joint debtor, the Statement of Financial Affairs shall include transfers of marital property by each spouse and loan payments made with marital property by each spouse.

LR 1007.6 Debtor's Statement of Intention under 11 U.S.C. §521. Contemporaneously with the filing of the Statement of Intention regarding consumer debts secured by property of the estate pursuant to 11 U.S.C. §521, the debtor or the debtor's attorney shall mail a copy of the statement to each creditor listed on the statement.

LR 1009.1 Amendment of Petition, Schedules and Statement of Affairs.

- (a) All amended Petitions, Schedules or Statements of Affairs shall include the entire page or pages affected by the amendment and shall be filed together with the required oath by the debtor. When schedules are amended to add a creditor or creditors, the prescribed filing fee shall be paid and an amended mailing matrix filed. The debtor shall serve a copy of the amendment upon the trustee, the United States Trustee, and any added creditor. The debtor shall file proof of such service with the amendment.
- (b) A motion to add a creditor in a closed case shall be construed as a motion to reopen said case, and the motion and notice of hearing shall be served by the debtor upon the trustee, the U. S. Trustee, and the creditor.

LR 1009.2 Classification of Nonexempt Property and Claims. If it appears that there may be a distribution to creditors, upon the request of the trustee, the court or an interested party, the debtor shall classify all nonexempt property of the estate and shall categorize all claims in accordance with chapter 766 of the Wisconsin Statutes.

LR 1013 Designation of Responsible Individual in Corporate Cases. Immediately after issuance of an Order for Relief, in a case where the debtor is a corporation, the petitioning creditor(s) shall seek an order designating the individual to be responsible for carrying out the duties of the debtor. Failure to seek such order may result in dismissal of the case or other appropriate action by the court.

LR 1015 Administration of Related Cases.

- (a) **Husband and Wife.** Cases commenced by the filing of a joint petition by or against a husband and wife shall be administered jointly unless the court directs otherwise.
- (b) **Related Cases.** At the time a case is filed, the petitioner shall notify the clerk if the case is related to any other case in this district now pending or pending within the past year. In the event the case is significantly related to another pending case, the clerk shall notify the judge to whom the pending case is or was assigned prior to assigning the new case.

LR 1017.1 Failure to Timely File Schedules or Plan; Motion to Dismiss by Trustee. When a plan, schedules, statements or other documents have not been timely filed as required by the Federal Rules of Bankruptcy Procedure, any interested party, including the standing chapter 13 trustee, may file and serve on all interested parties a motion to dismiss the case. If no objection to the motion is filed within twenty days of the date of mailing of the motion, the court may enter an order dismissing the case without further notice.

LR 1017.2 Conversion from Chapters 7, 11 or 12 to Chapter 13. Upon conversion of a case from chapter 7, 11 or 12 to chapter 13, the debtor shall file with the court and send the trustee a chapter 13 statement, a copy of the proposed plan, schedules and other documents required by these rules and the Federal Rules of Bankruptcy Procedure.

LR 2002 Immediate Notice to Creditors with Secured Claims . Immediately after filing a petition, the debtor shall notify each creditor holding a secured claim of the filing of the chapter 13 case.

LR 2003 Attorneys to Appear at §341 Meeting. Any attorney who has prepared or filed a petition or schedules in a chapter 7 case shall appear at the §341 meeting with the debtor.

LR 2014 Applications for Employment.

- (a) **Content of Application.** An application for the employment of a professional shall contain a specific recitation of the anticipated services to be provided together with an estimate of the cost associated with each service.
- (b) **Service of Applications for Employment.** Applications for employment shall be served on the United States Trustee, the debtor, the debtor's attorney, any committee appointed under the Code, the committee's attorney, and any other person designated by the court.
- (c) **Hearing on Objections to Applications.** The procedures in Local Rule 9014.3 apply to objections to applications for employment, except that objections to such applications shall be served within five days after filing of proof of service of the application on all parties served with the original application. In the absence of an objection, applications may be granted without a hearing.
- (d) **Content of Order Authorizing Employment.**
 - (1) **Proposed Order to be Submitted.** A proposed order authorizing the employment of a professional shall be filed and served with the application for employment.
 - (2) **Content of Order Authorizing Employment.** The proposed order shall include the following statements:
 - (A) "If the assets of the estate are insufficient to pay administrative costs, including fees to professional persons appointed by court order, interim payments on

said fees may not be allowed if it cannot be shown that there is a reasonable likelihood that the estate will in the future generate sufficient cash to pay all administrative expenses in full."

- (B) "The terms and conditions of all fee arrangements are subject to the provisions of 11 U.S.C. §328(a) which states in part that, 'the court may allow compensation different from the compensation provided under such terms and conditions after the conclusion of such employment, if such terms and conditions prove to have been improvident in light of developments not capable of being anticipated at the time of the fixing of such terms and conditions.'"
- (C) "Fees for the services authorized herein shall not exceed \$_____ without advance approval by the court."
(Except in orders appointing attorneys under a general retainer.)

LR 2015.1 Duties of Chapter 12 Debtor. The debtor shall:

- (a) **Monthly Reports.** File monthly reports with the trustee and the clerk. The first report shall be filed within thirty days after the petition is filed. Thereafter, each monthly report shall be filed no later than the fifteenth day of the month following the month reported. The reports shall contain:
 - (1) monthly receipts;
 - (2) monthly disbursements;
 - (3) expenses incurred and not paid;
 - (4) crop inventory (if applicable);
 - (5) livestock inventory (if applicable);
 - (6) tax deposit statement (if applicable).
- (b) **Books of Account.** Close the present books of account as of the time the petition is filed and open new books of account and a bank account. In the new books of account, the debtor shall keep records of earnings,

receipts, expenses, disbursements, and all obligations incurred and transactions.

- (c) **Proof of All Insurance Coverage** (including liability and casualty). Keep the property of the debtor fully insured with loss payable clauses, in the case of pledged or mortgaged property, in favor of secured creditors, as their interests may appear. Provide evidence of all insurance coverage to the secured creditors and the trustee.
- (d) **Tax Accounts** (if applicable). Segregate and hold separate and apart from all other funds, all monies withheld from employees or collected from others for taxes. Immediately deposit the funds withheld or collected, in a separate bank account. Pay from the bank account to the appropriate taxing authorities the amounts due at the times and in the manner prescribed by law.
- (e) **Depository**. Within ten days after the petition is filed, notify the trustee of the name of the financial institution to be used as the debtor's depository.
- (f) **Environmental Concerns**. File with the clerk and disclose to the trustee and any interested party requesting disclosure, the amount and type of underground storage tanks, stored pesticides and other hazardous materials.

LR 2015.2 Documents to be Filed in Addition to Schedules.

- (a) **Financial Statements**. Schedules of business debtors shall include year end and current financial statements, balance sheets and profit and loss statements. Upon confirmation of the plan, business debtors shall furnish to the trustee a monthly profit and loss statement and an annual balance sheet.
- (b) **Tax Returns Prior to §341 Meeting**. Prior to the §341 meeting, all debtors shall furnish the trustee with copies of the debtor's most recent federal and state income tax returns.
- (c) **Tax Returns After §341 Meeting**. The debtor shall timely file all tax returns while the plan remains in effect, and shall provide the trustee with copies of Federal and State Income Tax Returns within fifteen days after they have been filed.

LR 2016.1 Applications for Compensation for Services Rendered and Reimbursement of Expenses.

- (a) **Contents of Applications for Compensation.** All applications for compensation shall provide:
- (1) A chronological record of time spent on a case, including the individual(s) participating and the subject matter of a meeting, letter, or conference, with each task recorded in tenths of an hour; if the fee is anticipated to exceed \$10,000 for a professional or firm, a separate chronological record shall be kept for each major task;
 - (2) A summary of the time expended by each person for whom compensation is sought;
 - (3) A detailed breakdown by item and date of all disbursements and expenses;
 - (4) An explanation of the need for compensation of more than one professional attending a hearing or meeting, or the need for more than one level of review of work produced, in each instance for which multiple compensation is sought;
 - (5) An explanation of any extraordinary circumstances justifying fees that might be regarded as excessive for the task or case of the type and size to which the fees pertain.
- (b) **Interim Compensation.** In addition to providing the information required under Federal Rule of Bankruptcy Procedure 2016 and Local Rule 2016.1(a), applications for interim compensation shall include specific and sufficient facts about the financial status of the debtor, the debtor's operation and other appropriate information to demonstrate that such interim allowance will not create an undue hardship on the debtor, the estate and all parties in interest.
- (c) **Objections to Applications and U. S. Trustee Comments.** The procedures in Local Rule 9014.3 apply to objections to applications for compensation and U. S. Trustee comments.
- (d) **Final Compensation.** Applications for final compensation shall include a summary of all fees and expenses requested whether or not those fees and expenses have been paid in whole or in part through interim

compensation. A detailed itemization of these charges need not be provided if it has been provided in an application for interim compensation. Applications for final compensation may include estimated amounts for anticipated services not yet rendered.

**United States Bankruptcy Court
Eastern District of Wisconsin**

In the Matters of

ALL CHAPTER 13 CASES.

GENERAL ORDER: (1) ABROGATING ALL PRESENTLY EXISTING "PRESUMED REASONABLE FEES," AND (2) ESTABLISHING THE SUM OF \$1500.00 AS THE THRESHOLD POINT OVER WHICH FEE APPLICATIONS IN CHAPTER 13 WILL BE REVIEWED WITHOUT AN OBJECTION OR COMMENT BEING FILED

For approximately seven years the court has had an informal procedure by which fees of attorneys for debtors in the sum of \$1000.00 or less would not be reviewed by the court in the absence of an objection or comment. In the opinion of the court, the time has come to review that \$1000.00 sum. A public hearing was held on April 29, 1999, following notice published in local newspapers, posting and mailing to numerous parties. Now, therefore,

IT IS ORDERED that:

1. In the absence of an objection or a comment from a party in interest, or the court wishing to do so of its own volition, the court will not review any fee application for counsel for the debtor unless the cumulative fees charged by counsel for the debtor exceed \$1500.00.

2. In the event an objection or a comment from a party in interest is

served and filed, regardless of the amount of the requested compensation, or in the event the cumulative fees of counsel for the debtor exceed \$1500.00, the attorney for the debtor shall file a fee application dating back to the date services were first performed in this case.

3. All currently existing "presumed reasonable fees" are abrogated.
4. This order pertains to all cases filed after this order is signed.
5. This procedure shall be incorporated into Official Form B9i (Chapter 13 Case) in order to meet the notice requirements of Fed. R. Bankr. P. 2002(a)(6).
6. All notices shall be in compliance with Official Form 20A.
7. On or before May 1, 2002, and at least every three years thereafter, the bankruptcy judges of this district shall review this order to determine if any revisions are warranted.

Dated at Milwaukee, Wisconsin, May 17, 1999, at 8:45 a.m..

/s/ James E. Shapiro

Chief U.S. Bankruptcy Judge

/s/ Margaret Dee McGarity

U.S. Bankruptcy Judge

/s/ Russell A. Eisenberg

U.S. Bankruptcy Judge

LR 3001.1 Claims Secured by Real Estate. When a claim secured by real estate is filed, it shall separately state and itemize any claim for arrearages. A copy of such claim shall be sent to the debtor, the debtor's attorney and the standing chapter 13 trustee.

LR 3001.2 Secured Claims Shall Show Precomputed Interest. A secured claimant seeking interest during the term of the plan shall separately show the principal sum due and the precomputed interest.

LR 3010 Priority Claims and Claims Secured by Personal Property. Unless otherwise authorized by the court, payments on priority claims and claims secured by personal property shall be made through the standing chapter 13 trustee.

LR 3012.1 Valuation Hearing.

- (a) **Scheduling Valuation Hearing.** If valuation of security is in dispute, the debtor shall file a motion or proceeding requesting a determination of the value of the security and shall schedule a hearing. The motion or proceeding shall be filed no later than (1) 45 days after the filing of the petition or (2) five days after filing the plan, whichever is earlier.
- (b) **Appraisals and Affidavits to be Filed Before Valuation Hearing.** At least ten days before the valuation hearing, the debtor and secured claimants shall exchange and file their appraisals with the clerk and the trustee, together with the following:
 - (1) Appraiser's qualifications; and
 - (2) Certification of reasonable efforts to meet and resolve any differences over valuation.

LR 3012.2 Valuation of Security.

- (a) **Valuation Prior to §341 Meeting.** Prior to the §341 meeting, debtors shall make diligent efforts to reach agreements (1) with creditors whose claims are secured by personal property, as to the value of collateral, and (2) with creditors whose claims are secured by real property, as to the amount of the creditor's claim for a prepetition arrearage.
- (b) **Valuation at the §341 Meeting.** At the §341 meeting the trustee may estimate the value of any collateral that supports a secured claim. Such valuation may be used for the purpose of payments by the trustee under the plan, unless an objection is made:

- (1) within ten days after the conclusion of the §341 meeting where the claimant has appeared, or
- (2) within ten days after notice to claimant by the debtor, where claimant has not appeared at the meeting.

LR 3015.1 Confirmation of Chapter 12 Cases.

(a) Preparation for Confirmation Hearing.

- (1) Not less than ten days before the confirmation hearing, the debtors shall provide to the trustee all information and documents requested by the trustee. Failure to provide the trustee with the requested information may result in denial of confirmation.
- (2) Valuation issues shall be resolved before confirmation.

(b) Confirmation Hearing.

- (1) If there are no objections to confirmation and confirmation is recommended by the trustee, the court may immediately confirm the debtor's plan.
- (2) If there are objections to confirmation, or unresolved valuation issues, the court may treat the initial confirmation hearing as a preliminary hearing.

LR 3015.2 Modification of Chapter 13 Plans.

- (a) **Form of Proposed Modification.** A proposed modification shall contain a statement of the circumstances requiring the modification and the changes that will result from the proposed modifications.
- (b) **Notice of Proposed Modifications and Hearing on Objections.** The debtor shall give notice of a proposed modification to creditors adversely affected by the proposed modification. In the event of an objection, the debtor shall obtain a hearing date from the court and shall notify the trustee and all parties adversely affected. If there is no objection, the debtor shall file an affidavit of no objection together with a proposed order modifying the plan. The debtor shall serve all affected parties with a copy of any order modifying the plan.

LR 3017 Disclosure Statement.

- (a) **Notice of Hearing and Disclaimer.** The proponent of a plan shall give notice of the hearing to consider approval of the Disclosure Statement. The notice shall include the following statement in bold face type:

THIS NOTICE DOES NOT CONSTITUTE A SOLICITATION OF ACCEPTANCES OF A PLAN OF REORGANIZATION. ACCEPTANCES MAY NOT BE SOLICITED UNLESS AND UNTIL THE DISCLOSURE STATEMENT HAS BEEN APPROVED BY THE COURT.

- (b) **Required Statement.** After approval by the court, the Disclosure Statement, or a separate notice, shall conspicuously state the following:

THIS DISCLOSURE STATEMENT HAS BEEN DETERMINED BY THE COURT TO CONTAIN ADEQUATE INFORMATION AS REQUIRED BY SECTION 1125 OF THE CODE. THIS DETERMINATION DOES NOT CONSTITUTE RECOMMENDATION OR APPROVAL OF THE PLAN BY THE COURT.

LR 3018 Balloting Report. Not less than five days prior to the hearing to consider confirmation, unless otherwise ordered by the court, the person designated in the Official Ballot shall file a statement with the court showing the results of the balloting for each class of claims and interests, including a list of the creditors voting by name and amount of claim, and the number of creditors, the dollar amount of claims and the percentages of each, which have accepted or rejected the plan.

LR 3022.1 Conference Following Confirmation. The debtor shall schedule a status conference within ninety days following confirmation of a plan to consider the entry of a final decree.

LR 3022.2 Consummation of the Plan. Upon substantial consummation of the plan, the proponent shall file a motion for the entry of a final decree. The motion shall demonstrate that the plan has been substantially consummated and shall be accompanied by such supporting information as may be required by the court. The court shall then issue a final decree and the case shall be closed.

LR 4001.1 Cash Collateral. A motion seeking authorization to use cash collateral under §363 of the Code shall include the following information:

- (a) name, address and telephone number of each creditor claiming a security interest in the cash collateral and of the creditor's attorney, if known;

- (b) efforts made to contact such creditors and their attorneys with regard to the motion;
- (c) the nature of any emergency requiring prompt consideration of the motion;
- (d) the total dollar amount of cash collateral sought to be used or the method of determining the amount; and
- (e) a description of the adequate protection proposed for each creditor claiming an interest in the cash collateral.

LR 4001.2 Lifting of the Automatic Stay. The standing chapter 13 trustee shall be served by the movant with all motions for relief from the automatic stay and all orders granting or denying such relief.

LR 4003.3 Lien Avoidance. No lien may be avoided except by motion or adversary proceeding.

LR 5005.1 Prohibition Against Filing Documents in Judge's Chambers. Documents shall not be filed with the judge unless the judge has expressly authorized such filing. If a document requiring the judge's immediate attention is filed, the person filing the document shall promptly deliver a file stamped copy to the judge's chambers.

LR 5005.2 Facsimile Filing.

- (a) Upon application certifying exceptional circumstances and such notice as the court may require, the court may authorize the filing by facsimile transmission of documents other than a bankruptcy petition, bankruptcy schedules or amendments thereto.
- (b) A facsimile filing is deemed to occur upon the print out and receipt of the document in the office of the clerk except as otherwise provided in this rule.
- (c) Where the facsimile or electronic filing occurs after 4:00 p.m. weekdays, on a Saturday, Sunday or legal holiday, the filing is deemed to have occurred at 9:00 a.m. on the next business day.
- (d) Such filing shall be expunged unless the original document is filed in the office of the clerk within five days after such filing.

LR 7004 Adversary Filing Procedures.

- (a) **Number of Copies.** In adversary proceedings, an original and one copy of all documents shall be filed, except as provided in 7004 (b) and (c).
- (b) **Adversary Proceeding Cover Sheet.** Form B104 shall be filed with the filing of a complaint.
- (c) **Issuance of Summons.** The plaintiff shall submit to the clerk one original Summons and Notice of Trial (or Pretrial Conference).
- (d) **Copies of Summons and Complaint to be Provided to U. S. Trustee.** A copy of the Summons and Complaint and Adversary Proceeding Cover Sheet shall be transmitted by the plaintiff to the U. S. Trustee. No other pleadings shall be transmitted to the U. S. Trustee unless specifically requested by that office.

LR 7005 Proof of Service. Certification or proof of service of a copy of any pleading shall be endorsed upon any part of the pleading, or attachment thereto, and shall indicate the date, method of service, and names and addresses of parties served.

LR 9001.1 Rules of Construction.

- (a) Wherever used in these rules, the word "clerk" means Clerk of the United States Bankruptcy Court for the Eastern District of Wisconsin.
- (b) Whenever the sense requires, the term "debtor" shall also mean "debtor-in-possession."

LR 9001.2 Applicability. This rule, and the word "motion" in this rule, applies to all motions, applications, notices of intended action and objections, U. S. Trustee comments and related matters.

LR 9004 Form of Documents.

- (a) **Size and Legibility of Documents Generally.** All documents except exhibits shall be on letter size (8 1/2" x 11") durable, opaque, unglazed paper; fastened at the top without special backing or binding; plainly and legibly written, typewritten, printed or reproduced; and without erasures or interlineations materially defacing them. Documents that are not typewritten or otherwise printed shall be in ink or its equivalent. Except for exhibits, only one side of each paper shall be used. All pages, including exhibits, shall be sequentially numbered.

- (b) **Pleadings, Motions, Briefs.** All pleadings, motions, responses to motions, briefs and affidavits shall be double spaced and in not less than 12 point type, unless the judge authorizes in advance an alternative method. No brief shall exceed 15 pages, excluding exhibits and attached cases, without prior express authorization of the judge. Exhibits, including discovery documents, shall be limited to those to which reference is made in the brief or memorandum.
- (c) **Rule Not Applicable to Approved Forms.** Forms approved by this court or approved for use in federal courts are exempt from these requirements.
- (d) **Identification of Documents.** All documents shall include the name of the court, the title of the case, the chapter number, the proper case number with the initials of the assigned judge, and the name or nature of the document. All pleadings shall be signed by an attorney, or by the litigant if appearing pro se, and have typed thereon at the bottom left of the first page, the name, address and telephone number of each person signing the pleading.
- (e) **Original and One Copy Required.** Except as noted in Local Rule 1002.1, all documents, including all correspondence, shall be filed in the original with one additional copy for a chambers copy. If a person requests a conformed copy, an additional copy and [self- addressed] stamped envelope shall be furnished by the requesting person.
- (f) **Forms of Proposed Orders.** Each proposed order shall be submitted as a separate document. The signature line for the judge shall not appear on a continuation page that is blank or that contains only the case number and title of the case.

LR 9006.1 Time. When any time period prescribed is less than eight days, such time period shall mean business days.

LR 9006.2 Motions for Extension of Time. A motion for an extension of time shall state the date the original time will expire and the names of all known persons who may be adversely affected by the extension.

LR 9006.3 Additional Time When Service is by Mail. When service is made by mail, three days shall be added to the prescribed period. (See Federal Rule of Bankruptcy Procedure 9006(f)).

LR 9010.1 Manner of Appearance. All parties to cases and proceedings filed in this court shall appear either pro se or by an attorney admitted to practice in the United States District Court for the Eastern District of Wisconsin.

LR 9010.2 Representation of Corporations and Partnerships. Corporations and partnerships shall be represented in all cases and proceedings by an attorney. This rule does not require a corporation or a partnership to be represented by an attorney at meetings of creditors, nor does it require any proof of claim to be signed by an attorney.

LR 9010.3 Withdrawal and Substitution of Attorneys of Record. An attorney who has appeared as the attorney of record for the debtor, trustee, creditors' committee, or party in an adversary or contested matter may not withdraw, be relieved or displaced except by notice to the party represented and any adversaries and by leave of the court.

LR 9010.4 Disclosure of Attorney Who Drafts Petition, Pleading, Trial-Related Document, Schedule, or Statement of Affairs; Prohibition Against Ghostwriting. Any attorney, whether or not the attorney of record, who makes a major, substantive contribution to a petition, trial-related document, schedule, or statement of affairs which is filed with the court or is intended to be filed with the court shall disclose the name, address, phone number, facsimile number, and e-mail addresses of the attorney in the lower left corner of the first page.

LR 9011 Attorney's Signature Block. If the debtor is represented by an attorney, the attorney's name, address and telephone number shall be typed below the attorney's signature.

LR 9013.1 Form.

- (a) **Caption.** Every motion, proposed order and notice of intended action shall contain in the caption a description of the relief requested or action intended.
- (b) **Content.** Every motion shall state with particularity the grounds therefor, and shall set forth the relief or order sought. (See Federal Rule of Bankruptcy Procedure 9013).
- (c) **Supporting Documents.** Every motion shall, if necessary, be accompanied by a brief and supporting documents, or a certificate of counsel stating that he or she does not intend to file a brief or other supporting documents. Failure to submit a brief or supporting documents may result in denial of the motion or striking the response. If a motion is for summary judgment, the opposing party shall have thirty days to submit a brief in opposition, and the movant shall have fifteen days to submit a reply brief; for other motions, the opposing party shall have twenty-one days to submit a brief in opposition, and the movant shall have fourteen

days to submit a reply brief. The court may grant a request for additional time within which to provide briefs, supporting documents or to take discovery. Failure of a party to submit a timely brief or reply shall be deemed a waiver of the right to submit it. Briefs on motions and responses to motions shall not exceed 15 pages, exclusive of exhibits and affidavits, and briefs in reply shall not exceed 15 pages, exclusive of exhibits and affidavits. A reply brief shall be limited to matters in reply. Unless requested by a party and approved by the court, or on the court's initiative, oral argument will not be held.

- (d) **Reliance Upon Matters of Fact.** When a motion relies in whole or in part upon matters of fact, the motion shall be served and filed with supporting documents.

LR 9013.2 Proof of Service. Every motion shall be accompanied by a declaration of service, which shall name the parties who were served or will be served, and the date and method of service. If the declaration names parties who will be served, another declaration of service shall be filed confirming that such parties were actually served, and the date and method of service. (See Federal Rule of Bankruptcy Procedure 9013).

LR 9014.1 Scheduling and Noticing Hearing Dates. All notices of motions, applications and intended actions shall contain one of the following:

- (a) **Notice of Actual Hearing Date.** May be served with notice of an actual hearing date approved in advance by the court.
- (b) **Notice with Request that Court Set a Hearing Date.** May request the court to schedule a hearing date. Notice of the scheduled date shall be promptly served by the moving party.
- (c) **Notice of Motion or Intended Action Without Scheduling a Hearing Date.** May be served with notice to the opposing party that, if an objection is not served within fifteen days after the service of such notice, and filed within a reasonable time thereafter, the moving party may seek a court order granting the motion without further notice.
- (d) **Notice of Actual Hearing Date in Event Objection is Filed.** May be served with notice that if an objection is made within the time specified in the notice, a hearing on such objection will be held on a date approved in advance by the court, and that in the absence of an objection, the moving party will seek entry of the proposed order without a hearing.

LR 9014.2 Affidavit of No Objection. If no objection has been filed to a motion, the

movant shall file an Affidavit of No Objection to obtain an order granting the motion.

LR 9014.3 Objections to and U. S. Trustee Comments on Motions, Applications and Notices of Intended Action.

- (a) **Form.** Objections to and U. S. Trustee Comments on motions, applications and notices of intended actions shall be in writing. The writing shall contain short and plain statements of the factual and legal bases for the objection.
- (b) **Time to Object.** Written responses objecting to motions shall be served and filed not less than five days before the scheduled hearing date unless otherwise ordered by the court or prescribed by the Federal Rules of Bankruptcy Procedure. If the scheduled hearing date is less than ten days after service of the motion, the response shall be served not less than one day before the hearing.
- (c) **Objection Where Hearing Has Not Been Set.** When an objection is made to a motion application or order, as provided in Rule 9014.1, and no hearing has been scheduled, the movant, objecting party, debtor, trustee, creditors' committee or any other party in interest may request a hearing on such motion.

LR 9014.4 Hearings.

- (a) **Hearings on Motions.** Prior to a hearing, the movant and any party objecting thereto shall promptly attempt to resolve by agreement all matters believed to be in dispute. In addition, they shall make a reasonable effort to determine the evidence and the length of time necessary for a hearing on said motion. As soon as practicable, the parties shall advise the courtroom deputy clerk of the anticipated length of the hearing.
- (b) **Proposed Orders.** Proposed orders after a hearing shall be submitted simultaneously to the court and interested parties within such time as may be specified by the court. The court shall ordinarily hold proposed orders for five days after the date of their receipt for comments or objections, which shall be in writing.

LR 9014.5 Notice of Intended Action.

- (a) **Notice.** Notices of intended action may be included in the order scheduling the meeting of creditors pursuant to §341 of the Code and Federal Rule of Bankruptcy Procedure 2003.
- (b) **Objection to Intended Action.** Any party objecting to an intended action shall raise such objection in writing as provided in Local Rule 9014.3.

LR 9029.1 Adoption of Rules. The United States Bankruptcy Court for the Eastern District of Wisconsin hereby adopts the following Local Rules. These rules shall apply to all cases and proceedings in the United States Bankruptcy Court for the Eastern District of Wisconsin now pending or commenced hereafter. In addition, the Local Rules of the United States District Court for the Eastern District of Wisconsin, of which this court is an adjunct, shall apply in all cases and proceedings except to the extent they are inconsistent with the Federal Rules of Bankruptcy Procedure or these Local Rules.

LR 9029.2 Waiver or Modification of Local Rules. The court may waive or modify any of these Local Rules.

EASTERN DISTRICT OF WISCONSIN COUNTIES:

Brown
 Calumet
 Dodge
 Door
 Florence
 Fond du Lac
 Forest
 Green Lake
 Kenosha
 Kewaunee
 Langlade
 Manitowoc
 Marinette
 Marquette
 Menominee
 Milwaukee
 Oconto
 Outagamie
 Ozaukee
 Racine
 Shawano
 Sheboygan
 Walworth
 Washington
 Waukesha
 Waupaca
 Waushara
 Winnebago

